

ADRMOPTERM, APPEAL, CLOSED, E-Filing

**U.S. District Court**  
**California Northern District (San Francisco)**  
**CIVIL DOCKET FOR CASE #: 3:07-cv-05554-SC**  
**Internal Use Only**

Chung et al v. Keisler et al  
Assigned to: Hon. Samuel Conti  
Cause: 28:1361 Petition for Writ of Mandamus

Date Filed: 10/31/2007  
Date Terminated: 07/21/2008  
Jury Demand: Plaintiff  
Nature of Suit: 460 Deportation  
Jurisdiction: U.S. Government  
Defendant

**Plaintiff**

**Byun G. Chung**  
*on behalf of himself and all others  
similarly situated*

represented by **Alex Chinyung Park**  
Law Offices of Alex C. Park  
4675 Stevens Creek Blvd., Suite 100  
Santa Clara , CA 95051  
408-246-1515  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**George G. Benetatos**  
Law Office of George G. Benetatos  
244 California Street Suite 300  
San Francisco , CA 94111  
415-398-2296  
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Email: cwellen@earthlink.net  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Duk Bong Chung**  
*on behalf of herself and all others  
similarly situated*

represented by **Alex Chinyung Park**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**George G. Benetatos**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Myung Bin Chung**

represented by **Alex Chinyung Park**

*on behalf of himself and all others  
similarly situated*

(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**George G. Benetatos**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

### Plaintiff

**Kuo Chul Chung**

*on behalf of himself and all others  
similarly situated*

represented by **Alex Chinyung Park**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**George G. Benetatos**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

### Defendant

**Peter D. Keisler**

*Acting Attorney General of the United  
States*

*TERMINATED: 11/16/2007*

represented by **Edward A. Olsen**  
United States Attorney's Office  
Northern District of California  
450 Golden Gate Avenue  
Box 36055  
San Francisco , CA 94102  
415-436-6915  
Fax: 415-436-6927  
Email: edward.olsen@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

### Defendant

**Department of Homeland Security**

represented by **Edward A. Olsen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

### Defendant

**Michael Chertoff**

*Secretary of DHS*

represented by **Edward A. Olsen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

### Defendant

**Emilio T. Gonzales**

*Director of U.S. Citizenship*

*TERMINATED: 11/16/2007*

represented by **Edward A. Olsen**  
(See above for address)  
**LEAD ATTORNEY**

***ATTORNEY TO BE NOTICED*****Defendant**

**Immigration Services Department of State**  
**TERMINATED: 11/16/2007**

represented by **Edward A. Olsen**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Condoleezza Rice**  
**TERMINATED: 11/16/2007**

represented by **Edward A. Olsen**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Michael Mukasey**  
*Attorney General of the United States*

represented by **Edward A. Olsen**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/31/2007	<a href="#">1</a>	COMPLAINT; summons issued against Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice (Filing fee \$ 350, receipt number 34611012018). Filed by Byun G. Chung, Duk Bong Chung, Myung Bin Chung, Kuo Chul Chung. (slh, COURT STAFF) (Filed on 10/31/2007) Additional attachment(s) added on 11/19/2007 (slh, COURT STAFF). (Entered: 11/01/2007)
10/31/2007	<a href="#">2</a>	CASE MANAGEMENT CONFERENCE ORDER: Case Management Conference set for 2/6/2008 01:30 PM. (slh, COURT STAFF) (Filed on 10/31/2007) (Entered: 11/01/2007)
10/31/2007		CASE DESIGNATED for Electronic Filing. (slh, COURT STAFF) (Filed on 10/31/2007) (Entered: 11/01/2007)
11/16/2007	<a href="#">3</a>	FIRST AMENDED COMPLAINT against Michael Mukasey, Department of Homeland Security, Michael Chertoff. Filed by Byun G. Chung, Duk Bong Chung, Myung Bin Chung, Kuo Chul Chung. (slh, COURT STAFF) (Filed on 11/16/2007) Additional attachment(s) added on 11/19/2007 (slh, COURT STAFF). (Entered: 11/19/2007)
11/16/2007		(Court only) *** Parties Peter D. Keisler; Condoleezza Rice; Emilio T. Gonzales and Immigration Services Department of State terminated. (slh, COURT STAFF) (Filed on 11/16/2007) (Entered: 11/19/2007)
01/08/2008	<a href="#">4</a>	Declination to Proceed Before a U.S. Magistrate Judge by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Olsen, Edward) (Filed on 1/8/2008) (Entered: 01/08/2008)

01/09/2008	<a href="#">5</a>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (bpf, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/09/2008)
01/10/2008	<a href="#">6</a>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Samuel Conti for all further proceedings. Judge Magistrate Judge Edward M. Chen no longer assigned to the case.. Signed by Executive Committee on 1/10/08. (as, COURT STAFF) (Filed on 1/10/2008) (Entered: 01/10/2008)
01/11/2008	<a href="#">7</a>	STIPULATION to Extend Date of Case Management Conference and [Proposed] Order by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Olsen, Edward) (Filed on 1/11/2008) (Entered: 01/11/2008)
01/14/2008	<a href="#">8</a>	STIPULATION AND ORDER Initial Case Management Conference set for 4/4/2008 10:00 AM.. Signed by Judge Samuel Conti on 1/14/08. (tdm, COURT STAFF) (Filed on 1/14/2008) (Entered: 01/14/2008)
01/14/2008		(Court only) ***Deadlines terminated. (tdm, COURT STAFF) (Filed on 1/14/2008) (Entered: 01/14/2008)
03/07/2008	<a href="#">9</a>	MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> filed by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. Motion Hearing set for 5/23/2008 10:00 AM in Courtroom 1, 17th Floor, San Francisco. (Olsen, Edward) (Filed on 3/7/2008) (Entered: 03/07/2008)
03/07/2008	<a href="#">10</a>	Declaration of Edward A. Olsen in Support of <a href="#">9</a> MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> filed by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Attachments: # <a href="#">1</a> Exhibits A-D, # <a href="#">2</a> Exhibit E, # <a href="#">3</a> Exhibits F-O, # <a href="#">4</a> Exhibits P-S)(Related document(s) <a href="#">9</a> ) (Olsen, Edward) (Filed on 3/7/2008) (Entered: 03/07/2008)
03/07/2008	<a href="#">11</a>	Proposed Order re <a href="#">9</a> MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> by Peter D. Keisler, Department of Homeland Security, Michael Chertoff, Emilio T. Gonzales, Immigration Services Department of State, Condoleezza Rice, Michael Mukasey. (Olsen, Edward) (Filed on 3/7/2008) (Entered: 03/07/2008)
03/28/2008	<a href="#">12</a>	CASE MANAGEMENT STATEMENT ( <i>Joint</i> )AND [PROPOSED] ORDER filed by Department of Homeland Security, Michael Chertoff, Michael Mukasey. (Olsen, Edward) (Filed on 3/28/2008) Modified on 3/31/2008 (aaa, Court Staff). (Entered: 03/28/2008)
04/02/2008	<a href="#">13</a>	CLERK'S NOTICE Case Management Conference set for 4/4/08 is continued to 6/13/2008 10:00 AM. (tdm, COURT STAFF) (Filed on 4/2/2008) (Entered: 04/02/2008)
04/02/2008		(Court only) ***Deadlines terminated. (tdm, COURT STAFF) (Filed on 4/2/2008) (Entered: 04/02/2008)

04/04/2008	<a href="#">14</a>	NOTICE of Appearance by Alex Chinyung Park <i>for George G. Benetatos</i> (Park, Alex) (Filed on 4/4/2008) (Entered: 04/04/2008)
04/04/2008		(Court only) ***Attorney George G. Benetatos for Byun G. Chung, Duk Bong Chung, Myung Bin Chung and Kuo Chul Chung added. Re <a href="#">14</a> Notice (aaa, Court Staff) (Filed on 4/4/2008) (Entered: 04/07/2008)
04/07/2008	<a href="#">15</a>	ADR Certification (ADR L.R. 3-5b) of discussion of ADR options <i>Parties' Joint Request to be Exempt from Formal ADR Process</i> (Olsen, Edward) (Filed on 4/7/2008) (Entered: 04/07/2008)
04/11/2008	<a href="#">16</a>	STIPULATION AND ORDER case removed from formal ADR proceedings. Signed by Judge Samuel Conti on 4/10/08. (tdm, COURT STAFF) (Filed on 4/11/2008) (Entered: 04/11/2008)
05/01/2008	<a href="#">17</a>	Memorandum in Opposition re <a href="#">9</a> MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss</i> filed byByun G. Chung. (Park, Alex) (Filed on 5/1/2008) (Entered: 05/01/2008)
05/01/2008	<a href="#">18</a>	AFFIDAVIT in Opposition re <a href="#">9</a> MOTION to Dismiss <i>Defendants' Notice of Motion and Motion to Dismiss Declaration of Alex C. Park</i> filed byByun G. Chung. (Park, Alex) (Filed on 5/1/2008) (Entered: 05/01/2008)
05/08/2008	<a href="#">19</a>	Reply Memorandum filed byDepartment of Homeland Security, Michael Chertoff, Michael Mukasey. (Olsen, Edward) (Filed on 5/8/2008) (Entered: 05/08/2008)
05/08/2008	<a href="#">20</a>	Declaration of Edward A. Olsen ( <i>Supplemental</i> ) <i>with Exhibit One</i> filed byDepartment of Homeland Security, Michael Chertoff, Michael Mukasey. (Attachments: # <a href="#">1</a> Exhibit)(Olsen, Edward) (Filed on 5/8/2008) (Entered: 05/08/2008)
05/13/2008	<a href="#">21</a>	STATUS REPORT <i>with Attachment</i> by Department of Homeland Security, Michael Chertoff, Michael Mukasey. (Attachments: # <a href="#">1</a> Appendix Ninth Circuit Disposition)(Olsen, Edward) (Filed on 5/13/2008) (Entered: 05/13/2008)
05/21/2008	<a href="#">22</a>	Request for Judicial Notice re <a href="#">21</a> Status Report filed byByun G. Chung. (Related document(s) <a href="#">21</a> ) (Park, Alex) (Filed on 5/21/2008) (Entered: 05/21/2008)
06/09/2008	<a href="#">23</a>	STATUS REPORT ( <i>Joint</i> ) by Department of Homeland Security, Michael Chertoff, Michael Mukasey. (Olsen, Edward) (Filed on 6/9/2008) (Entered: 06/09/2008)
06/11/2008	<a href="#">24</a>	CLERK'S NOTICE Case Management Conference set for 6/11/08 is continued to 8/1/2008 10:00 AM. (tdm, COURT STAFF) (Filed on 6/11/2008) (Entered: 06/11/2008)
07/21/2008	<a href="#">25</a>	ORDER by Judge Samuel Conti granting <a href="#">9</a> Motion to Dismiss (sclc2, COURT STAFF) (Filed on 7/21/2008) (Entered: 07/21/2008)
07/21/2008		(Court only) ***Civil Case Terminated. (sclc2, COURT STAFF) (Filed on 7/21/2008) (Entered: 07/21/2008)

08/19/2008	<a href="#">26</a>	NOTICE OF APPEAL as to <a href="#">25</a> Order on Motion to Dismiss by Byun G. Chung, Duk Bong Chung, Myung Bin Chung, Kuo Chul Chung. Filing fee \$ 455.00., Receipt Number 34611022578 (aaa, Court Staff) (Filed on 8/19/2008) (Entered: 08/20/2008)
08/20/2008	<a href="#">27</a>	Cover Letter and Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <a href="#">26</a> Notice of Appeal (aaa, Court Staff) (Filed on 8/20/2008) (Additional attachment(s) added on 8/20/2008: # <a href="#">1</a> Transmittal Form) (aaa, Court Staff). (Entered: 08/20/2008)
08/20/2008	<a href="#">28</a>	Certificate of Record Mailed to USCA re appeal <a href="#">26</a> Notice of Appeal : (aaa, Court Staff) (Filed on 8/20/2008) (Entered: 08/20/2008)
08/20/2008	<a href="#">29</a>	Copy of <a href="#">26</a> Notice of Appeal and Docket sheet mailed to all counsel without an e-mailing address. (aaa, Court Staff) (Filed on 8/20/2008) (Entered: 08/20/2008)